

TOWN OF WESTFORD

PLANNING BOARD

MINUTES

DATE: August 11, 2003

TIME: 7:30 P.M.

PLACE: Westford Academy Choral Room

PRESENT: Peter Fletcher, Andrea Peraner-Sweet, Michael Green,
Fred Palmer

ABSENT: Robert Shaffer

OTHERS

PRESENT: Tim Greenhill-Town Planner, Jim Arsenault-Town Engineer,
Audience Members

OPEN FORUM

Stepinski Land Acquisition Update – Peraner-Sweet reported that approval was given last fall for the proposed well on the Stepinski property. Construction on the well must begin within 5 years of the approval. Peraner-Sweet also reported that the Town is looking at the Stepinski property for 12 acres for the Water Department and approximately 100 acres for Conservation and Recreation. Peraner-Sweet stated that the Stepinski family now has a “development team” looking at the highest and best use of the property and the value of the land. The development team has met with the Stony Brook Center Master Plan Committee with ideas for using the property for bottling water or a sand and gravel operation. Peraner-Sweet stated that a committee has been formed by the Stony Brook Master Plan Committee and that negotiations will possibly begin in the near future. The Committee will also be submitting an application to the CPA for funding for the ultimate purchase of the Stepinski property.

Abbott Mill Update – Peraner-Sweet reported that the developer has been working on issues with the Conservation Commission. The bridge repairs have been moved up to fiscal year 2004. Peraner-Sweet also reported that she, Chris Romeo (Affordable Housing), Norman Khumalo (Asst. Town Manager) and Richard Barrett (Highway Superintendent) met with Representative Hall, Senator Panagiotakos and a representative of Governor Romney to discuss the Abbott Mill development project. Peraner-Sweet stated that the project is slated for 120 units, 10% affordable and 5% “Westfordable”. The Affordable Housing Committee is pushing the developer for 25% affordable housing so that all of the rental units will count toward Westford’s affordable housing stock. The Affordable Housing Committee will be meeting with the neighborhood after September 1st.

Meridian Associates – Arsenault reported that the Town’s consultant has formed a separate firm known as MDM Associates. Discussions are ongoing regarding consulting services for Westford.

Tree on Magnolia Drive – Arsenault reported that the tree located at the intersection of Magnolia Drive and Meadow Sweet Lane should be removed. The retaining wall placed by the developer is not sufficient to sustain the tree and is a safety hazard. Arsenault asked the Board to allow the removal of the tree and slope the area back. The Board wanted to know if the road was built as designed and approved. Peraner-Sweet was concerned that the road may not have been built to meander to save the tree. Fletcher stated that if the road was not built correctly the developer will be responsible for replacing the tree. Arsenault reported that the width of the rotary is acceptable at 27 feet. Arsenault stated that the rotary ends at a 52 foot outside curb radius and according to the Planning Board Rules and Regulations is should be 70 feet. Arsenault suggested that the developer must have received a Variance at some time. Arsenault to review the conditions of approval. Arsenault also suggested that some type of curbing and signage be installed alerting drivers of a traffic island and the direction of flow.

Juneberry Lane – Arsenault reported that the developer has not addressed the concerns of the Engineering Department or the neighbors. Peraner-Sweet asked Arsenault, Greenhill and Bill Turner go on the site with the plans to determine if the project is being built according to the plans and provide the developer with a list of outstanding items. Arsenault to report back to the Board at the next meeting. The Board to schedule a site visit.

ANR – 30 NORTH STREET

It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to endorse.

MISCELLANEOUS:

Performance Bonds/Items for Signature –

Villages at Stone Ridge – Green recused himself as he is an abutting landowner. David Guthrie, Guthall, LLC, explained that he moved to a phase that was not released or bonded and skipped over a phase that was released and bonded. Guthrie suggested surrendering his rights to the current phase that is open in lieu of permission to proceed in the phase that he is in until he can get bond established. Guthrie also suggested coming back before the Board on September 2, 2003 to resolve the issues. It was moved by Peraner-Sweet, seconded by Palmer, and VOTED 3 IN FAVOR WITH 1 ABSENT (Shaffer) and 1 ABSTAINING (Green), to release buildings 23, 25, 26 and 29 at the Villages at Stone Ridge contingent upon the applicant surrendering his right to build four (4) buildings on Stone Ridge to be worked out with the Town Planner within 72 hours and contingent upon the applicant appearing at the Planning Board on September 2, 2003 fully prepared to bond Sand Stone Road.

Proposed Land Donation – Acton/Griffin Roads

Greenhill reported that the Selectmen are being approached regarding a land donation and have requested comments from all Town Boards relative to any issues with said land. Greenhill reported that he has researched the deed and found the deed to be in order. Greenhill did not find any planning issues with that land. The Board recommended that Town Counsel prepare a deed for transfer to the Town at next Town Meeting. The Board thanked the residents for the donation. Peter Severance, Snow Drive, asked what the land would be used for. Fletcher pointed out the sliver of land that will probably be incorporated into the trail easement. Greenhill reported that Bev Woods, NMCOG, suggested that the land be used for a parking area. Greenhill stated that the Conservation Commission will also be making a recommendation to the Selectmen.

**PUBLIC HEARING – LAWTON AVENUE – DEFINITIVE
SUBDIVISION – SPECIAL PERMIT – COMMON DRIVEWAY**
2 Sunny Meadow Lane, Mary-Anne Finnegan

Continued to September 2, 2003 at 8:00 p.m.

MISCELLANEOUS, cont.:

Release of Covenant for Cobblestone Drive – Greenhill reported that the Covenant that the Town has held as not been released to date. Greenhill could not find a reason why the Covenant was not released. It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to release the Covenant.

Hitchin' Post Greens II – Lot Release Request - Addressed earlier in the meeting.

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DIRECTOR'S REPORT

Request for Final Comments in Relation to Rosegate 40B Application
– Greenhill reported that the Zoning Board of Appeals has requested that the Planning Board review the requested waivers for the Rosegate 40B project located at 99 Main Street. The following are two of the waivers requested by the developer:

Section 6.3.1 – Growth Management; and Section 9.4 – Site Plan Review.

Green expressed disappointment that the developer did not increase the affordable stock in the project. Greenhill reported that he and Khumalo had a discussion regarding a proposed sidewalk from the front of the development connecting up to Sunny Meadow Lane if the waiver is granted. The Board concurred that a sidewalk would be appropriate for that area. Peraner-Sweet was concerned with the requested waiver for parking. Peraner-Sweet was concerned with where the parking will be located and its proximity to the side line and how much parking is proposed. Peraner-Sweet asked Greenhill to provide the following comments to the Zoning Board: parking within 5 feet of the side line; parking within 15 feet from the side line; and screening/ landscaping of the parking. Fletcher felt that the wetlands would provide a buffer of the parking lot for the residents on Leland Road. Fletcher asked why the developer was requesting a waiver of the fees. Greenhill assumed that the developer would cite affordability. Peraner-Sweet pointed out that there are three affordable units. Fletcher and Peraner-Sweet did not see the justification for waiving the fees.

NMCOG – Drafts for TIP, UTPW and RTP – Public Meeting to be Held August 13, 2003 – Greenhill reported that NMCOG has submitted draft plans for the FY03–2008 Transportation Improvement Program, the FY03 Unified Transportation Planning Work Program and 2003-2025 Regional Transportation Plan. A public hearing will be held on Wednesday August 13, 2003 at 7:00 p.m., at the Northern Middlesex Council of Governments office, Thorndike Street, Lowell, Massachusetts. The Board to review the submittals. Arsenault volunteered to attend the meeting and will report back to the Board.

Sidewalks at Trailside Estates – Greenhill updated the Board regarding the ongoing discussions relative to the sidewalks at Trailside Estates. Greenhill stated that the outstanding issues were the required width of the sidewalk and the width of the gravel driveway. Greenhill stated that the Fire Department would like the gravel driveway width to remain as the approved width (18 ft.). Greenhill reported that he received an opinion from Town Counsel regarding the width of the sidewalk. Greenhill also requested comments from the Town Engineer. Greenhill stated that Town Counsel felt that the Planning Board could require a minimum of 4 feet. Arsenault stated that the Federal, State and local regulations differ as to the width. Arsenault felt that it going to 5 feet would be to the best standard as shown in the Mass Highway regulations.

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Arsenault agreed with Town Counsel's opinion of 4 feet given that it is a short duration of road. It was moved by Green, seconded by Peraner-Sweet, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to direct Staff to act upon an administrative change for Trailside Estates related to sidewalk width in front of Lot 4 from Stations 10+5 to 11+5 and further direct Staff that sidewalk pavement width will be four (4) feet and the grass shoulder should be no less than one (1) foot to be worked out with the revised sidewalk plan; and the required minimum cleared width of the sidewalk should be forty-eight (48) inches excluding with curbs.

PUBLIC HEARING – WESTFORD TECHNOLOGY PARK – SITE PLAN REVIEW – SPECIAL PERMITS

Continued to September 2, 2003 at 8:30 p.m.

MAILBOX

Letter from W.I.T.S. dated August 4, 2003 regarding Kimball's sidewalks – Greenhill reported that Harriet Rodman of W.I.T.S. has concerns regarding whether Kimball's has complied with the site plan. Greenhill reported that Mass Highway has been out to the site and repainted the crosswalks. Mass Highway has indicated that pedestrian warning lights are planned. Fletcher stated that there were only plans to paint or stripe the roadway. Greenhill to contact Mass Highway on Wednesday, August 13, 2003 and will keep the Board updated.

Letter from Robert Priestly regarding water treatment plant on Nutting dated August 2, 2003 – Greenhill reported that Priestly feels that the noise study did not address the issues adequately. Greenhill has spoken to Warren Sweetser, Water Superintendent. Sweetser has been looking into Priestly's concerns. It was Greenhill's understanding that the site was designed as required. The Board requested that Greenhill provide a copy of the noise study to the Board for the September 2nd meeting. Palmer asked if the louvered door was installed according to the plan and what the source of the noise was in late May or June as outlined by Priestly. Green asked if the landscaping plan was progressing. Greenhill to check with Sweetser and report back to the Board.

Historic Preservation Conference on Friday, September 5, 2003 – Greenhill asked the Board to notify him of interest in attending.

Letter from M. Seraphin regarding Chestnut Hills landscaping dated July 23, 2003 – Greenhill stated that he sent a second letter to Dan Linscott of Chestnut Hills Development. Linscott was unable to attend tonight's meeting. Greenhill stated that he was able to speak to Linscott by telephone and was told that next week Linscott will try to plant trees and then will follow the schedule. Arsenault stated that there are several problems with Swede's Crossing.

Letter from Town Engineer regarding Concord Road Sidewalk dated July 21, 2003 – Arsenault outlined the plans and recommended the sidewalk location be revised so that the shade trees will not be impacted.

Letter from M. Flaherty regarding Waste Water Treatment Plant at Netscout dated August 4, 2003 – Greenhill reported that Khumalo spoke to Westford Board of Health. The Board of Health has been in contact with DEP. Palmer asked for an explanation from DEP regarding the failure of waste water treatment plant. Fletcher stated that according to the Board of Health DEP does not have any issues with the facility. Peraner-Sweet asked for comment from the Board of Health regarding feedback from DEP.

Letter from SMMA dated July 17, 2003 regarding Gutierrez response to WeCARE letter – For the Board's review. To be addressed at the next public hearing.

Letter from DHCD regarding Keyes Corner Project dated July 11, 2003 – Greenhill stated that the letter indicates that the application has been approved with conditions that need to be met before final approval.

Letter from T. Janeczek regarding HPGII dated July 17, 2003 – Addressed earlier in the meeting. The Board scheduled a site visit for Thursday, August 28, 2003, 7:00 p.m., at the Magnolia Drive rotary. Greenhill to notify LANDTECH Consultants and the neighbors.

MINUTES

It was moved by Peraner-Sweet, seconded by Palmer, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to approve the minutes of July 21, 2003.

PUBLIC HEARING – EXTENDED STAY AMERICA – SITE PLAN REVIEW – SPECIAL PERMIT (SIGN) – SPECIAL PERMIT (MAJOR COMMERCIAL PROJECT)

Attorney Paul Alphen and Michael Holland, Symmes Maini & McKee, were present. Alphen reported that the applicant's engineer revised the plans based upon the Town Engineer's concerns. Alphen stated that the applicant has agreed to construct the building using the same colors and materials as the facility located in Westboro, Massachusetts. Alphen distributed photographs of that facility. Alphen also reported that the architect has addressed some of the concerns of the Board. Alphen referenced his letter dated July 24, 2003 with attachments regarding the proposed signs. Alphen calculated that the signs being requested are net 112 sq. ft. less than the sign area allowed by the Zoning Bylaw. Alphen pointed out that it is not unusual in Westford for businesses to have their wall signs on walls facing more than one side. Alphen discussed the requested special permits for signs and the Sign Bylaw with Greenhill and the Board. Arsenault reported that the drainage calculations seem to be accurate and that the dry well counts seem to work. Green had

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asked at the last meeting that non-hotel parking be delineated on the plan. Holland stated that the non-hotel parking was not included on the plan based upon Greenhill's provision in the conditions (#10) that prior to occupancy and signage that the parking will be signed to the satisfaction of the Planning Board. Green wanted the appropriate signage to be clearer which denotes "No Hotel Parking" at Buildings 3 and 5. Green revised Condition 10: *...Appropriate signage to denote parking for Buildings 3 and 5 of Westford Tech Park as non-hotel parking. Signage to be reviewed and approved by Town Planner.* The Board added Condition 20: *A pedestrian crosswalk will be added from the southwest parking lot at its current location (per the Gutierrez Master Plan).* The Board added Condition 21: *A pedestrian crosswalk will be added from Building 5 to the basketball court and leased parking appropriate for Building 5 per the plan dated 5/9/03.* There was no input from the floor. It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to close the public hearing on the Major Commercial Project Development. It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to close the public hearing on signs.

It was moved by Green, seconded by Peraner-Sweet, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to grant a Special Permit for a Major Commercial Project to Extended Stay America in accordance with Staff comments and Conditions 1-21 in a report dated August 11, 2003 and amended here this evening.

It was moved by Green, seconded by Peraner-Sweet, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to grant Site Plan Approval to Extended Stay America in accordance with Staff comments and Conditions 1-21 in a report dated August 11, 2003 and amended here this evening and in accordance with plans dated 5/9/03 and revised 8/8/03.

It was moved by Green, seconded by Peraner-Sweet, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to grant a Special Permit for Signs to Extended Stay America in accordance with Staff comments and Conditions in a report dated August 11, 2003, Conditions 1-21 amended here this evening and in accordance with a Site Plan dated 5/9/03 and revised 8/8/03 and in accordance with Anchor Sign specification #1175 received July 16, 2003. Palmer felt that the south tower sign will be visible from Route 110 six months per year because the trees that are blocking it are deciduous. Palmer also felt that the other signs would be adequate and appropriate for travelers.

ADJOURNMENT

It was moved by Peraner-Sweet, seconded by Green, and VOTED 4 IN FAVOR WITH 1 ABSENT (Shaffer), to adjourn the meeting.

Submitted by Beth Kinney, Recording Secretary